

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Arizona Broadcasters Association, et al.;

Case No.: _____

Plaintiffs,

vs.

Mark Brnovich, in his official capacity as
Attorney General for the State of Arizona, et
al.;

Defendants.

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Pursuant to Federal Rule of Civil Procedure 65(a), and having reviewed Plaintiffs' Motion for Preliminary Injunction enjoining Defendants from enforcing of A.R.S. § 13-3732, also known as HB2319, any response thereto, and the arguments of the parties, it is hereby

ORDERED that the motion is GRANTED.

Defendants are hereby enjoined from enforcing A.R.S. § 13-3732 because Plaintiffs have shown their constitutional challenge to the statute is likely to prevail on the merits, that absent preliminary relief Plaintiffs are likely to suffer irreparable harm in that their exercise of their First Amendment rights to record video of law enforcement activities will be chilled, that the balance of equities tips in Plaintiffs' favor, and that an injunction is in the public interest. More specifically, Plaintiffs have shown they are likely to succeed on

1 their claims that A.R.S. § 13-3732 violates the First Amendment as a content-based
2 prohibition on expressive activity that does not survive strict scrutiny or intermediate
3 scrutiny, and that the statute is void for vagueness as it fails to provide a person of ordinary
4 intelligence a reasonable opportunity to know what is prohibited and it impermissibly
5 delegates basic policy matters to law enforcement officers with the attendant dangers of
6 arbitrary and discriminatory application.

7 Defendants shall not take any action to enforce A.R.S. § 13-3732 pending further
8 order of this Court.

9 SO ORDERED.

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11 DATED this ____ day of _____, 2022.

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14 United States District Judge
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